

December 5, 2007

**Update for the Communicable Diseases and Infestations Rulemaking
(9 A.A.C. Chapter 6, Articles 1, 2, 3, 8, 9, 10, and 11)**

The Department is revising the following communicable diseases and infestations rules in Chapter 6:

- Article 1, containing definitions of terms used in more than one Article in Chapter 6;
- Article 2, regarding the reporting of information about communicable diseases and infestations;
- Article 3, specifying control measures for reportable communicable diseases and infestations;
- Article 8, specifying notification requirements for tests performed under A.R.S. § 13-1210, resulting from assaults on public safety employees and volunteers; and
- Article 10, containing the rules for HIV-related testing and notification, including testing performed at the order of a court under A.R.S. §§ 8-341 or 13-1415.

The Department is making the following new rules in Chapter 6:

- Article 9, specifying notification requirements for tests performed under A.R.S. § 32-3207, resulting from health professional exposures; and
- Article 11, containing the rules for STD-related testing and notification, including testing performed at the order of a court under A.R.S. §13-1415.

This rulemaking was undertaken to:

- Update and clarify the reporting requirements for communicable diseases in Article 2;
- Add diseases such as Chagas disease and norovirus to reportable communicable diseases;
- Update and clarify the control measures for communicable diseases in Article 3;
- Repeal the obsolete incorporated-reporting-forms in the current rules, while specifying the type of information that local health agencies are required to report to the Department;
- Update, clarify, and amend the requirements in Article 8 to conform to the requirements in the amended A.R.S. § 13-1210, while reducing the time periods within which notification must be given;
- Add a new Article 9 to implement the requirements in A.R.S. § 32-3207;
- Update, clarify, and amend the requirements in Article 10 regarding HIV testing, to include the requirements for testing ordered under A.R.S. § 13-1415;
- Repeal the consent forms for HIV testing in the current rules and add a new, more understandable consent form;
- Move information about HIV notification from Article 3 to Article 10; and
- Add a new Article 11 specifying the requirements for testing and notification related to sexually-transmitted diseases (STDs), including testing required under a court-order issued under A.R.S. §§ 13-1210, 13-1415, or 32-3207.

Comments on draft rules were solicited from stakeholders in July and October, and changes were made to the draft rules on the basis of the comments received. Stakeholders are asked to send any final comments to Ruthann Smejkal, Rules Analyst for the Department, by e-mail at smejkar@azdhs.gov, by phone at 602-364-1230, or by fax at 602-364-1150. The Department anticipates filing a Notice of Proposed Rulemaking by December 21, 2007.